

Remarks

Claims 1-39 are currently pending in this application. The Office has rejected claims 24 and 33-39 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office stated it is unclear as to what Applicant intended by the use of the words “when” and “adapted to.” The Office has rejected claims 1, 24, and 33 under 35 U.S.C. § 101 because the claims are directed to a non-statutory subject matter. Claims 1, 2, and 33 are rejected under 35 U.S.C. § 102(a) as being anticipated by a publication titled “Parallel Algorithms for Spatial Data Partition and Join Processing,” by Yanchun Zhang et al. (hereinafter Zhang). Applicant thanks the Office for noting that claims 3-23 and 25-32 would be allowable if rewritten in independent form. This is a non-final Office action and is responsive to Applicant's reply filed on or before August 14, 2006.

Allowable Subject Matter

The Office noted that claims 3-23 and 25-32 would be allowable if rewritten in independent form. Applicant has amended claims 3 and 25 to include the limitations of the base claim plus the limitations of any intervening claims. The Office rejected claim 24 under 35 U.S.C. § 112, second paragraph, as being indefinite for the use of the term “when.” Applicant addressed this rejection when the limitations of claim 24 were incorporated into claim 25. No new subject matter has been added and support for the amendments can be found in the specification, e.g., page 20 at paragraph 80.

While the Office did not explicitly state that claims 34-39 were allowable, Applicant believes they are allowable because they contain the subject matter, noted by the Office as allowable, found in claims 3-23 and 25-32. Applicant has amended claim 34 to include the limitations of the base claim 33 and the dependent claim 35. The Office rejected claims 34-39 under 35 U.S.C. § 112, second paragraph, as being indefinite for the use of the term “adapted to.” Applicant has amended the claims to address the rejection. No new subject matter was added.

Conclusions

All of Applicant's claims are allowable over the art of record. Applicant asks that the Office reconsider this application and allow all remaining claims. Please charge any fees that might be due, excluding the issue fee, to deposit account 14-0225.

Respectfully submitted,

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(Electronically Filed)

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